

# DAILY APPEAL

MEMPHIS.

FRIDAY MORNING.—SEPTEMBER 24, 1858.

Largest Circulation in the City.

Official Journal of the City.

Reading Matter on Every Page.

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PRIER PAGE.—On Jones' speech at the U.S. Capitol: An Usurpation Against the Richmond Examiner. The American Treaty with China. John W. Forney: Victoria and America's Duties.

WILLIAMSON.—Selected Poetry: A Selection of Goss V. L. Hatch and Husband & Ten Thousand Women Floundering in the Mud and Rain.

ILLINOIS SENATE.—JUDGE BREWER.

HON. STEPHEN BREWER has written two more letters in regard to the Illinois Scholastic. They are too long for publication, but the substance of them may be summed up in the following paragraph: "I am sorry to say that we are about to be superseded at Congress."

"Be pleased, my dear Sir, to say that I am not in the political field. I am no candidate for the Senate, or for any other political station, and when I am, I neither wish of expect to be a candidate."

So it seems that after all the flourish with which he proclaimed that the editor of the Belleville Democrat was a candidate, the Judge now concedes that he is not a candidate and does not wish or expect to be." This will relieve the editor of the Democrat from the necessity of proving, as he threatened to do, that Judge BREWER, less than three months ago, declared that Mr. DOUGLASS pursued the only course possible for him, that he did not desire to be a candidate against Judge DOUGLASS, and furthermore, not to "stand in his way" of being re-elected Senator. So we go. We take it that he is granted from what we have read of and from Judge BREWER that although he is not a candidate, he would be very little difficulty in making his one or there be a reasonable probability of his election.

INTERLEAVING LAWYER.

A very interesting case has occupied the attention of the public for a few days past, and was decided yesterday. The following is a brief sketch of the case:

HON. B. F. MCKEEHAN, Judge of the Criminal Court of the city of Memphis, upon the petition of G. T. WOOD, of Kentucky, who represented himself as the legally appointed guardian of JESSE MARILLA MACKET, a boy five days since granted a writ of habeas corpus against FRED JONES and others, and released him to his friends.

But that the writ was granted in this case, but before the service of the writ, Mr. THOMAS, the grandfather of the child, left the jurisdiction of the Court and took the child away with him, and his counsel, MESSRS. SCOTT & DIXON, moved to dismiss the petition, and quashed the writ upon the following grounds: that the petition showed on its face that the child was domiciled in Tennessee at the time of the appointment of the guardian in Kentucky; that the Court in Kentucky had no jurisdiction over the child, and therefore, the writ could not be served.

YAN. W. IRVIN, P. M.

Singular Ballot Incident.

On Friday last a man named Wilson made an ascension from the Fair Grounds, at Centralia, Illinois, in a balloon, belonging to the C. C. CO. of the 1st Regt. of the 1st Division, some distance from the fair grounds, about eighteen miles distant, at the farm of a Mr. Harvey. The ballon, the grapes, and a boy a boy aged about four years, and the other a girl of eight years, placed them in the basket. The ballon was carried by a strong wind, so high as the rope would allow. Unexpectedly the grappling iron slipped from the father's hand, and the ballon went down, and found the ground in Centralia, where they would be found, or perhaps descended into some lake or stream, and were drowned? As it was it was about 100 feet above the ground, and the party, who love the brass, were above the ballon. The ballon was most certainly an old one, and had come to a halt, and was still suspended, when the party, who were in the ballon, saw the rope break, and the ballon was suspended by a wire-wreaving basket and sprays for the first time.

2d. That a guardian appointed in Kentucky has no right to sue in this State, to recover his ward, without taking out letters of guardianship in this State, and that such guardian could not exercise any authority over the person or property of his ward.

3d. That the child in this case is a citizen, and the Judge of the Criminal Court of Memphis cannot entertain jurisdiction of it.

These points were able and elaborately argued by Messrs. SCOTT and DIXON for the defendant, and SCOTT and FOX for the plaintiff.

The Judge overruled the motion.

Messrs. SCOTT and FOX, upon the filing of the answer, traversed the same, in order to put the defendant TROUSSEAU in contempt of the court for failing to obey the writ, in not having the process served, and the witness examined.

Some witnesses were examined in order to show that the defendant advised, aided, and assisted her wife in taking the child out of the State. The Judge after a patient hearing of the case, dismissed the parties and discharged the defendant. The Court excused the removal of the child for the possession of whose person was not instituted, in briefly this: She is an orphan, both parents being dead, an exceedingly little girl of seven years of age. She has been under the custody of her grand parents, with whom she has resided since the death of her mother, and she is now in the care of her step-mother, who is the heir to a very large property in Kentucky, estimated to be worth \$50,000. This property in the event of her death without issue is deemed to be the property of the testator.

The result of the suit gives very general satisfaction.

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Our friends of the Morning Bulletin seem to have grown tired of their neutrality, and in their latest number they have taken sides, and under the heading of "The War," in order to put the defendant TROUSSEAU in contempt of the court for failing to obey the writ, in not having the process served, and the witness examined.

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## MISSISSIPPI NEWS.

The Election Day.—On the first Monday of October, fourth day of month, an election takes place for county and district officers, and on Jan. 1, for the political election. The people of the state expect to serve the public which we find in our Mississippi exchanges, we take it there will be no difficulty in filling all the county and district offices with honest, competent and efficient men.

—S. S. BROWN.—The citizens of Mississippi have agreed to give Hon. A. G. Brown a compliment in honor on the 2d of October next.

To the Hon. A. G. Brown.—The Citizen, of last Friday, says that Mr. Nix, the negro boy who murdered Davis, the overseer, near Red Bluff, was tried and convicted on Saturday, and found guilty. The sentence of the court was, that he should be hung in the jail of Chickasaw county, on the 5th of October next.

SENTENCED TO THE PENITENTIARY.—We take it that the Quillan addition to that

WILLIAMSON.—The Circuit Court of Chickasaw county, has sentenced to the penitentiary for life, the negro boy, who murdered Davis, the overseer, near Red Bluff.

—W. H. COOPER.—The Weekly Appeal will be furnished at \$25 for each copy.

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